

REMARKS

The specification has been amended to make editorial changes therein. The number of the French reference cited on page 2 has been corrected and numbers of corresponding patents have been provided. Tapping refers to the threads created by a tap (a tool for forming threads on a workpiece).

Claims 1-15 were rejected under §112, second paragraph. Claims 12-15 have been canceled and claims 1-11 have been amended as to form. Reconsideration and withdrawal of the rejection are respectfully requested.

New claims 16-23 have been added. Consideration and allowance of the new claims are respectfully requested.

Claims 1-2 and 5-10 were rejected as anticipated by UEDA 6,393,940. Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 1 includes, among other features, a cylindrical recess having threading coacting with screw threading on the cartridge to permit the continuous adjustment of the transverse position of the cartridge in the recess. UEDA does not disclose such threading and thus these claims avoid the rejection under §102.

By way of further explanation, UEDA concerns a gap adjusting mechanism for a bicycle pedal coupled between the pedal body and a cage surrounding the same to change the angular position of the cage relative to the pedal body. UEDA does not

show any means permitting adjustment of the transverse position of the cartridge received in a cylindrical transverse recess of the pedal body, whereas the invention concerns problems directly related to this adjustment. UEDA shows a multi-step spindle having numerous stepped portions abutting against other stepped portions in a stepped bore formed in the pedal body.

Furthermore, UEDA does not show first positive locking means at the end of a cartridge cooperating with second positive locking means provided on a blocking element blocking the rotation of the cartridge.

The Official Action refers to "positive locking means (37, 38)", but these are a bearing assembly (37) and a ring (38) that are not provided with any locking features.

Claims 3-4 were rejected as unpatentable over UEDA in view of PRUSSEN et al. 4,371,279; and claims 11-15 were rejected as unpatentable over UEDA in view of SNYDER et al. 4,311,319. These claims depend from claim 1 and are allowable for reasons set forth above. Reconsideration and withdrawal of the rejections are respectfully requested.

Further, with regard to claim 2, UEDA does not show any element for blocking in rotation of the cartridge, where that element is axially displaceable in the recess of the pedal as there is not adjustment provided for the transverse position of the cartridge as defined in the invention and the sole blocking of the cartridge in UEDA is obtained when it abuts against the

ring (38) and the bearing assembly (37) when being threadedly coupled within the stepped bore of the pedal body.

UEDA has furthermore been cited against claims 3 and 4 in combination with PRUSSEN that is not related to a cycle pedal, but to a structural joint of a quite different nature compared to what is defined in claims 3 and 4. According to the invention, the cartridge and the pedal body, that could be compared to a screw-nut connection, should not be rotating together, but should only be rotatable one with regard to the other so as to permit the adjustment of the transverse position of the pedal body. It is difficult to see how this document could give any indications so as to arrive at the subject matter of these claims.

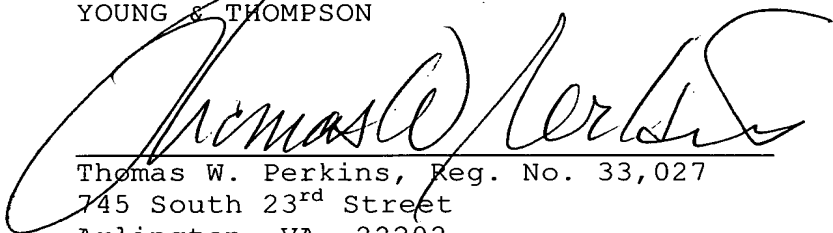
The new claims are allowable because the references do not disclose that the recess in the pedal has threading coacting with the threading of the cartridge for adjustment of a transverse position of the cartridge in the recess, or a blocking element that is axially displaceable in the recess that blocks rotation of the cartridge to hold the cartridge in a transverse position in the recess, or the first and second positive locks on the cartridge and blocking element, respectively, that are placed in engagement with each other by a gripping means (the gripping means is to be interpreted under §112, sixth paragraph, and corresponds to elements 15 and 17 as explained at page 7, lines 21-29).

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

A large, stylized handwritten signature in black ink, appearing to read 'Thomas W. Perkins', is written over a horizontal line.

Thomas W. Perkins, Reg. No. 33,027
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

TWP/lk